

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

PAUL DEL GROSSO and
ESTHER DEL GROSSO,

Plaintiffs,

vs.

STATE FARM MUTUAL AUTOMOBILE)
INSURANCE COMPANY and)
STATE FARM FIRE & CASUALTY CO.,)

Defendants.)

Case No. 4:09-cv-01940CAS

DEFENDANTS' SECOND MOTION IN LIMINE
SEEKING A RULING ON REASONABLENESS OF MEDICAL BILLS

Comes now Defendant and for its Motion states:

1. This lawsuit against Defendants was filed after the Tort Reform Act of 2005 took effect.

2. Genuine dispute exists between the parties as to the value of bills which will be presented as evidence in this case.

3. Defendants believe §490.715, R.S.Mo. (Cum. Supp. 2008) applies in this case in that the amount of medical expenses admitted into evidence should only be the amounts paid, as such amounts were what was reasonable and necessary, if believed to be due to the injuries sustained by Plaintiff in the accident described in the Complaint.

WHEREFORE, Defendant prays the Court for an Order deciding that the reasonable value of Plaintiff's medical services to be presented and evidence at the trial of the case is the amount of bills paid and for such other and further relief as the Court deems just and proper.

/s/ Daniel E. Wilke
Daniel E. Wilke #24464MO
James A. Wilke #51242MO
Attorney for Defendants
WILKE & WILKE, P.C.
2708 Olive Street
St. Louis, Missouri 63103
314-371-0800
Fax: 314-371-0900
wilke@wilkewilke.net

I hereby certify that on January 10, 2011, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the following:

John D. Anderson
Attorney at Law
911 Washington Avenue, Suite 400
St. Louis, MO 63101
ja@hurthelp.net
ATTORNEY FOR PLAINTIFFS

/s/ Daniel E. Wilke
Daniel E. Wilke #24464MO
James A. Wilke #51242MO
Attorney for Defendants
WILKE & WILKE, P.C.
2708 Olive Street
St. Louis, Missouri 63103
314-371-0800
Fax: 314-371-0900